IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 1201 of 2004 (M/B)

Devendra Singh Dhaila,
S/o Sri Khushal Singh Dhaila,
R/o Ghorakhal Road, Bhawali,
District Nainital. ..... Petitioner

Versus

1. State of Uttaranchal.
2. Senior Superintendent of Police, Nainital.
3. Station House Officer, Bhawali , District Nainital,
4. Manoj Kumar Joshi S/o Sri Bharav Dutt Joshi, R/o S-2, Bhavrally Compound, Mallital, Nainital . ..... Respondents

Mr. Manoj Shah, Advocate i/b Mr. Rajendra Kotiyal, learned counsel on behalf of the petitioner.
Mr. D.K. Sharma, learned Government Advocate for the State.

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. Rajesh Tandon, J.

(Per Hon'ble the Chief Justice)

1. Heard Mr. Manoj Shah, Advocate holding brief of Mr. Rajendra Kotiyal, learned counsel appearing on behalf of the petitioner and MR. D.K. Sharma, learned Government Advocate on behalf of respondents No. 1,2 &3.

2. Learned counsel for the petitioner seeks to and is allowed to withdraw the writ petition with a liberty to go and surrender before the concerned Magistrate and file an application for bail. If such a bail application is filed by the petitioner, the concerned Magistrate is directed to decide it within two days from the date of filing there of.

3. With this observation, the writ petition is disposed of as withdrawn.

(Rajesh Tandon, J.) **(V.S. Sirpurkar, C.J.)**
08.12.2004 **08.12.2004**

G

Hon'ble P.C. Pant,J
(Withdrawan app. 7020/2004.

An application for with drawal of this unit petition. No. 17 (N/S) 2002 has been moved on behalf of the petitioner Heard .

The withdrawal application is allowed.

The with petition is dismissed as withdrawn.

(P.C.Pant, J)